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HIS MAJESTIES ANSVVER,

By way of Declaration,

To a Printed Paper, intituled, *A Declaration of both Houses of Parliament, In Answer to His Majesties last Message concerning the* Militia.

York 17. May 1642.

YORK:
Printed by ROBERT BARKER, Printer to the Kings most Excellent Majestie: And by the Assignes of JOHN BILL.
1642.

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York 17. May 1642.

HIS MAJESTIES *ANSWER*,

By way of Declaration, to a Printed Paper, intituled, *A Declaration of both Houses of Parliament, In Answer to His Majesties last Message concerning the* Militia.

WE very well understand how much it is below the high and Royall Dignity wherein God hath placed Us, to take notice, much more to trouble

Our Self with answering those many scandalous seditious Pamphlets, and printed Papers, which are scattered with such great Licence thorowout the Kingdom (notwithstanding Our earnest Desire so often in vain pressed for a Reformation) though we finde it evident, that the minds of many of Our weak Subjects have been, and still are poysoned by those means; and that so generall a Terrour hath possessed the Minds and Hearts of all men, that whiles the Presses swarm (and every day produces new Tracts against the established government of the Church and State) most men want the Courage, or the Conscience to write, or the opportunity or encouragement to publish such composed sober Animadversions, as might either preserve the minds of Our good Subjects from such Infection, or restore and recover them when they

they are so infected. But We are contented to let Our Selfe fall to any Office that may undeceive Our people, and to take more pains this way, by Our own Pen, then ever King hath done, when We finde any thing that seems to carry the Reputation or Authority of either, or both Houses of Parliament, and will not have the same refuted or disputed by common and vulgar Pens, till We are thoroughly informed, whether those Acts have in truth that countenance and Warrant they pretend: which regard of Ours, We doubt not but in time will recover that due reverence (the absence whereof We have too much reason to complain) to Our Person and Our Messages, which in all ages hath been paid (and no doubt is due) to the Crown of England.

We have therefore taken notice of a printed Paper, intituled, A De-

claration of both Houses of Parliament, in Answer to Our last Message concerning the *Militia*, published by command; the which we are unwilling to beleeve (both for the Matter of it, the Expressions in it, and the manner of publishing it) can result from the consent of both Houses; Neither do we know, by what lawful Command, such uncomly, irreverent mention of Us can be published to the World: And though Declarations of this kinde have (of late with too much boldnesse) broken in upon Us and the whole Kingdom, when one, or both Houses have thought fit to communicate their Councells and Resolutions to the People, yet We are unwilling to beleeve, That such a Declaration as this should be published in Answer to Our Message, without vouchsafing at least to send it to Us as their Answer: Their businesse, for which they are met by Our Writ and Authority,

thority, being to Counsell Us for the good of Our People, not to Write against Us to Our People, and no Consent of Ours for their long continuing together enabling them to do any thing, but What they were first summoned by Our Writ to do: At least We will beleeve, though Mis-understanding and Jealousie (the Justice of God will overtake the Fomenters of that Jealousie, and the Promoters and Contrivers of that Mis-understanding) might produce (to say no worse) those very untoward Expressions, that if those Houses had contrived that Declaration as an Answer to Our Message, they would have vouchsafed some Answer to the Question proposed in Ours, which We professed did, and must evidently prevail over Our Understanding, and in their Wisdom and Gravity they would have been sure to have stated the Matters

ters of fact, as (at least to ordinary understandings) might be unquestionable; Neither of which is done by the Declaration.

We desire to know why We were by that Act absolutely excluded from any Power or Authority in the execution of the Militia, and We must appeal to all the World, whether such an attempt be not a greater and juster ground for Fear and Jealousie in Us, then any one that is avowed for those destructive Fears and Jealousies, which are so publiquely owned almost to the ruine of the Kingdom, but We have been told, That We must not be jealous of Our great Councell of both Houses of Parliament; We are not, no more then they are of Us their King; and hitherto they have not avowed any Jealousie of, or Dis-affection to Our Person; imputed all to Our evill Counsellors, to a Malignant Partie, that

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are not of their mindes: So We do (and We do it from Our Soul) professe no Jealousie of Our Parliament, but of some Turbulent, Seditious, & Ambitious Natures, which (being not so cleerly discerned) may have an influence even upon the Actions of both Houses; and if this Declaration hath passed by such consent (which We are not willing to beleeve) it is not impossible, but that the apprehension of such Tumults (which have driven Us from Our City of London for the safety of Our Person) may make such an Impression in other men (not able to remove from the Danger) to make them consent, or not to own a dissent in matters not agreeable to their Conscience or Understanding.

We mentioned in that Our Answer Our dislike of the putting of their names out of the Bill, whom

before they recommended to Us in their pretended Ordinance, and the leaving out by speciall provision, the present Lord Major of London: To all which that Declaration affords no answer, and therefore we cannot suppose it was intended for an answer to that Our Message, which whosoever looks upon, will finde to be in no degree answered by that Declaration.

But it informs all Our Subjects, after the mention with what humilitie the Ordinance was prepared and presented to Us (a matter very evident in the Petitions and Messages concerning it) and Our refusall to give Our consent notwithstanding the severall Reasons offered of the Necessity thereof for the service of Our Person, and the Peace and safety of Our People (whether any such Reasons were given, the weight of them, and

whether they were not cleerly and candidly answered by Us, the World will easily judge) that they were at last necessitated to make an Ordinance, by Authority of both Houses, to settle the Militia, Warranted thereunto by the fundamentall Laws of the Land: But if that Declaration had indeed intended to have answered Us, it would have told Our good Subjects what those fundamentall Laws of the Land are, and where to be found, and would at last have mentioned one Ordinance from the first beginning of Parliaments to this present Parliament, which endeavoured to impose any thing upon the Subject without the Kings consent; for of such, all the inquiry We can make, could never produce Us one instance: And if there be such a secret of the Law, which hath lain hid from the beginning of

the world to this time, and now is discovered, to take away the just Legall Power of the King, We wish there be not some other secret (to be discovered when they please) for the Ruine and Destruction of the Liberty of the Subject: for no doubt, If the Votes of both Houses have any such Authoritie to make a new Law, it hath the same Authoritie to repeal the old; and then what will become of the long established Rights and Liberties of the King and Subject, and particularly of Magna Charta, Will be easily discerned by the most ordinary Understandings.

It is true, We bid (out of Our tenderness of the constitution of the Kingdom, and care of the Law, which We are bound to defend, and being most assured of the unjustifiableness of the pretended Ordinance) invite and desire both Our

Houses

Houses of Parliament to settle whatsoever should bee fit of that nature, by Act of Parliament: But were We therefore obliged to passe whatsoever should be brought to Us of that kinde? Wee did say in Our Answer to the Petition of both Houses presented to Us at York, the six and twentieth of March last (and We have said the same in other Messages before) that We alwayes thought it necessary, the business of the Militia should be settled, and that We never denied the thing, onely denied the Way; and We say the same still, since the many Disputes and Votes upon Lords Lieutenants and their Commissions (which were not begun by Us, or Our Father) had so discountenanced that Authority, which for many yeers together was happily looked upon with Reverence and Obedience by the People; We did,

and do think it very necessary, that some Wholsom Law be provided for the busnesse: But We declared in Our Answer to the pretended Ordinance, We expected that that necessary Power should be first invested in Us, before we consented to transfer it to other men: Neither could it ever be imagined, that We would consent, That a greater power should be in the hands of a Subject, then We were thought worthy to be trusted with Our Self: And if it shall not be thought fit to make a new Act or Declaration in this point, we doubt not but We shall be able to grant such Commissions, which shall very Legally enable those We trust to do all Offices for the Peace and Quiet of the Kingdom, if any Disturbance shall happen.

But that Declaration sayes, We were pleased to offer them a Bill

ready

ready drawn, and that they (to expresse their earnest zeal to correspond with Our desire) did passe that Bill: Yet all that expression of Affection and Loyalty, all that earnest desire of theirs to comply with Us, produced no better effect, then an absolute Denyall, even of what by Our former Messages (as that Declaration conceives) We had promised; And so proceeds (under the pretence of mentioning Evill and Wicked Councellors) to censure and reproach Us in a Dialect that (We are confident) Our good Subjects will reade with much indignation on Our behalf. But sure if that Declaration had passed the examination of both Houses of Parliament, they would never have affirmed, That the Bill we refused to passe was the same we sent to them; or have thought, That Our Message, wherein the difference and contra-

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rietie between the two Bills is so particularly set down, would be answered with the bare averring them to be one and the same Bill: No more would they have declared (When Our exceptions to the Ordinance and the Bill are so notoriously known to all Our People) that care being taken to give satisfaction in all the particulars We had excepted against in the Ordinance, we had found exceptions to the Bill; And yet this very Declaration confesses, that Our exception to the Ordinance was, That in the disposing and execution thereof we were excluded. And was not this an expresse Reason in Our Answer for Our refusall of the Bill, which their Declaration will needs confute: But the power was no other then to suppresse Rebellion, Insurrection, and forraign Invasion; and the persons trusted, no other then

then such as were nominated by the great Councell of the Kingdom, and assented to by Us: And that Declaration asks, If that be too great a Power to trust these Persons with: Indeed, whiles so great Libertie is used in Voting and Declaring men to be Enemies to the Common-Wealth (an English phrase we scarcely understand) and in censuring men for their Service and Attendance upon Our Person, and in Our lawfull Commands, great heed must be taken into what hands we commit such a power to suppresse Insurrection and Rebellion: And if Insurrection and Rebellion have found other Definitions then what the Law hath given them, we must be sure that no lawfull Power shall justifie those Definitions: And if there be learning found out to make Sir John Hothams taking Arms against

Us, and keeping Our Town and Fort from Us, no Treason or Rebellion, we know not whether a new discovery may not finde it Rebellion in Us to defend Our Self from such Arms, and to endeavour to recover what is so taken from Us; and therefore it concerns Us (till the known Law of the Land be allowed to be Judge between Us) to take heed into what hands we commit such Power. Besides, can it be thought, That because we are willing to trust certain persons, that we are obliged to trust them in whatsoever they are willing to be trusted? We say, No private hands are fit for such a trust, neither have we departed from any thing (in the least degree) we offered or promised before; though we might with as much reason have withdrawn Our trust from some persons we before had accepted, as they did from

others

others whom they recommended. For the Power which we are charged to have committed to particular persons for the space of fifteen yeers, by Our Commissions of Lieutenancie, it is notoriously known, That it was not a power created by Us, but continued very many yeers, and in the most happy times this Kingdom hath enjoyed (even those of Our renowned Predecessours, Queen Elizabeth, and Our Father of happy memory) and whatsoever Authority was granted by those Commissions (which were kept in the old forms) the same was determinable at Our pleasure, and we know not that they produced any of those Calamities which might give Our good Subjects cause to be so weary of them, as to run the hazard of so much mischief, as the Bill we refused might possibly have produced.

For the presidents of former ages, in the Commissions of Array, We doubt not, but When any such have issued out, that the Kings consent was allwayes obtained, and the Commissions determinable at His pleasure, and then What the extent of power was, will be nothing applicable to this case of the Ordinance.

But whether that Declaration hath refuted Our Reasons for Our refusall to passe the Bill or no; it hath resolved and required all persons in Authority to put the Ordinance in present execution, and all others to obey it, according to the fundamentall Lawes of the Land: But We, whom God hath trusted to maintain and defend those fundamentall Laws (which, We hope, he will blesse to secure Us) do declare that there is no legall power in either, or both Houses,

upon

upon any pretence Whatsoever, Without Our consent, to command any part of the Militia of this Kingdom, nor hath the like ever been commanded by either, or both Houses, since the first foundation of the Lawes of this Land; and that the execution of, or the obedience to that pretended Ordinance, is against the fundamentall Lawes of the Land, against the Liberty of the Subject, and the Right of Parliaments, and a high Crime in any that shall henceforth execute the same. And We do therefore charge and command all Our loving Subjects, of What degree or quality soever, upon their Allegiance, and as they tender the Peace of this Kingdom, from henceforth not to Muster, Leavie, or Array, or Summon, or Warn any of Our Trained Bands to Rise, Muster, or March, by vertue, or under colour of that

pretended Ordinance. And to this Declaration and Command of Ours, we expect and require a full submission and obedience from all Our loving Subjects upon their Allegiance, as they will answer the contrary at their peril, and as they tender the upholding of the true Protestant Profession, the Safety of Our Person, and Our Royall Posterity, the Peace and Being of this Kingdom.

FINIS.